



MMB Docket No: 1671-0287  
J&J Reference: DEP-5211

# DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled

MINIMALLY INVASIVE BONE MILLER APPARATUS, the specification of which

(check one)

X

is attached hereto.

was filed on \_\_\_\_\_ as

United States Application Serial No. \_\_\_\_\_ or

PCT International Application No. \_\_\_\_\_

and was amended on \_\_\_\_\_.

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

Yes

No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application Number

Filing Date

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)(Patented, Pending, Abandoned)

(Application Serial No.)


(Filing Date)

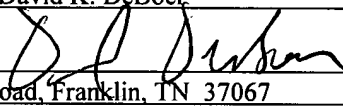
(Status)(Patented, Pending, Abandoned)

And I hereby appoint Paul J. Maginot, Registration No. 34,984, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214, Michael D. Beck, Registration No. 32,722, and David B. Quick, Registration No. 31,993 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq.  
Maginot, Moore & Beck  
111 Monument Circle, Suite 3000  
Bank One Center/Tower  
Indianapolis, Indiana 46204-5115  
Telephone (317) 638-2922  
Facsimile (317) 638-2139

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Sole or first inventor Michael J. Christie  
Inventor's signature  Date: 12-31-03  
Residence 911 Tyne Boulevard, Nashville, TN 37220  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor David K. DeBoer  
Inventor's signature  Date: 12-31-03  
Residence 4080 Clovercroft Road, Franklin, TN 37067  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Michael C. Jones  
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 205 North Short Street, North Webster, IN 46555  
Citizenship United States of America  
Post Office Address same as above

Full name of Sole or first inventor Steven Wayne Smith  
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 2121 Caravelle Drive, Fort Wayne, IN 46814  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Brad Alan Parker

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 23 EMS Lane C-14, Warsaw IN 46582  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Charles W. Jagers

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 1538 S. Meadow Drive, Warsaw, IN 46580  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Derek A. Shrack

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 6262 Edgewood Ct., Leesburg IN 46538  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor James Ray Rogers

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 1911 Park Avenue, Winona Lake, IN 46590  
Citizenship United States of America  
Post Office Address same as above



### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled

MINIMALLY INVASIVE BONE MILLER APPARATUS, the specification of which

(check one)

X

is attached hereto.

was filed on \_\_\_\_\_ as

United States Application Serial No. \_\_\_\_\_ or

PCT International Application No. \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
----------	-----------	------------------------	-----	----

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application Number

Filing Date

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)(Patented, Pending, Abandoned)
--------------------------	---------------	--

(Application Serial No.)	(Filing Date)	(Status)(Patented, Pending, Abandoned)
--------------------------	---------------	--

And I hereby appoint Paul J. Maginot, Registration No. 34,984, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214, Michael D. Beck, Registration No. 32,722, and David B. Quick, Registration No. 31,993 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq.  
Maginot, Moore & Beck  
111 Monument Circle, Suite 3000  
Bank One Center/Tower  
Indianapolis, Indiana 46204-5115  
Telephone (317) 638-2922  
Facsimile (317) 638-2139

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

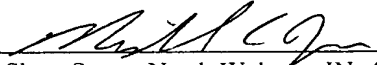
Full name of Sole or first inventor Michael J. Christie

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 911 Tyne Boulevard, Nashville, TN 37220  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor David K. DeBoer

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 4080 Clovercroft Road, Franklin, TN 37067  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Michael C. Jones

Inventor's signature  Date: 1/12/04  
Residence 205 North Short Street, North Webster, IN 46555  
Citizenship United States of America  
Post Office Address same as above

Full name of Sole or first inventor Steven Wayne Smith

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 2121 Caravelle Drive, Fort Wayne, IN 46814  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Brad Alan Parker

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 23 EMS Lane C-14, Warsaw IN 46582

Citizenship United States of America

Post Office Address same as above

Full name of Third inventor Charles W. Jagers

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 1538 S. Meadow Drive, Warsaw, IN 46580

Citizenship United States of America

Post Office Address same as above

Full name of Second inventor Derek A. Shrack

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 6262 Edgewood Ct., Leesburg IN 46538

Citizenship United States of America

Post Office Address same as above

Full name of Third inventor James Ray Rogers

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 1911 Park Avenue, Winona Lake, IN 46590

Citizenship United States of America

Post Office Address same as above



### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled

MINIMALLY INVASIVE BONE MILLER APPARATUS, the specification of which

(check one)

X

is attached hereto.

was filed on \_\_\_\_\_ as

United States Application Serial No. \_\_\_\_\_ or

PCT International Application No. \_\_\_\_\_

and was amended on \_\_\_\_\_.

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

\_\_\_\_\_  
Yes

\_\_\_\_\_  
No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
Application Number

\_\_\_\_\_  
Filing Date

\_\_\_\_\_  
Application Number

\_\_\_\_\_  
Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)(Patented, Pending, Abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)(Patented, Pending, Abandoned)

And I hereby appoint Paul J. Maginot, Registration No. 34,984, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214, Michael D. Beck, Registration No. 32,722, and David B. Quick, Registration No. 31,993 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq.  
Maginot, Moore & Beck  
111 Monument Circle, Suite 3000  
Bank One Center/Tower  
Indianapolis, Indiana 46204-5115  
Telephone (317) 638-2922  
Facsimile (317) 638-2139

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Sole or first inventor Michael J. Christie

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 911 Tyne Boulevard, Nashville, TN 37220  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor David K. DeBoer

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 4080 Clovercroft Road, Franklin, TN 37067  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Michael C. Jones

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 205 North Short Street, North Webster, IN 46555  
Citizenship United States of America  
Post Office Address same as above

Full name of Sole or first inventor Steven Wayne Smith

Inventor's signature Steven Wayne Smith Date: 2/14/04  
Residence 2124 Caravelle Drive, Fort Wayne, IN 46814  
Citizenship United States of America  
Post Office Address same as above



Full name of Second inventor Brad Alan Parker

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 23 EMS Lane C-14, Warsaw IN 46582  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Charles W. Jagers

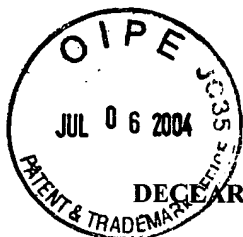
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 1538 S. Meadow Drive, Warsaw, IN 46580  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Derek A. Shrack

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 6262 Edgewood Ct., Leesburg IN 46538  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor James Ray Rogers

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 1911 Park Avenue, Winona Lake, IN 46590  
Citizenship United States of America  
Post Office Address same as above



### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled

MINIMALLY INVASIVE BONE MILLER APPARATUS, the specification of which

(check one)

X

is attached hereto.

was filed on \_\_\_\_\_ as

United States Application Serial No. \_\_\_\_\_ or

PCT International Application No. \_\_\_\_\_

and was amended on \_\_\_\_\_.

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

Yes

No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application Number

Filing Date

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)(Patented, Pending, Abandoned)

(Application Serial No.)

(Filing Date)

(Status)(Patented, Pending, Abandoned)

And I hereby appoint Paul J. Maginot, Registration No. 34,984, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214, Michael D. Beck, Registration No. 32,722, and David B. Quick, Registration No. 31,993 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq.  
Maginot, Moore & Beck  
111 Monument Circle, Suite 3000  
Bank One Center/Tower  
Indianapolis, Indiana 46204-5115  
Telephone (317) 638-2922  
Facsimile (317) 638-2139

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Sole or first inventor Michael J. Christie

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 911 Tyne Boulevard, Nashville, TN 37220  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor David K. DeBoer

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 4080 Clovercroft Road, Franklin, TN 37067  
Citizenship United States of America  
Post Office Address same as above

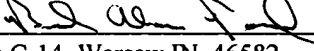
Full name of Third inventor Michael C. Jones

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 205 North Short Street, North Webster, IN 46555  
Citizenship United States of America  
Post Office Address same as above

Full name of Sole or first inventor Steven Wayne Smith

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 2121 Caravelle Drive, Fort Wayne, IN 46814  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Brad Alan Parker

Inventor's signature  Date: 12-22-03  
Residence 23 EMS Lane C-14, Warsaw IN 46582  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Charles W. Jagers

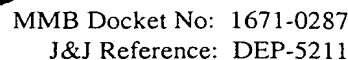
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 1538 S. Meadow Drive, Warsaw, IN 46580  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Derek A. Shrack

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 6262 Edgewood Ct., Leesburg IN 46538  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor James Ray Rogers

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 1911 Park Avenue, Winona Lake, IN 46590  
Citizenship United States of America  
Post Office Address same as above



**DECLARATION AND POWER OF ATTORNEY**

MINIMALLY INVASIVE BONE MILLER APPARATUS, the specification of which

(check one)

X

is attached hereto.

was filed on \_\_\_\_\_ as \_\_\_\_\_

United States Application Serial No. \_\_\_\_\_ or \_\_\_\_\_

PCT International Application No. \_\_\_\_\_

and was amended on

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

Yes

No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application Number

Filing Date

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)(Patented, Pending, Abandoned)

(Application Serial No.)

(Filing Date)

(Status)(Patented, Pending, Abandoned)

And I hereby appoint Paul J. Maginot, Registration No. 34,984, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214, Michael D. Beck, Registration No. 32,722, and David B. Quick, Registration No. 31,993 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq.  
Maginot, Moore & Beck  
111 Monument Circle, Suite 3000  
Bank One Center/Tower  
Indianapolis, Indiana 46204-5115  
Telephone (317) 638-2922  
Facsimile (317) 638-2139

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Sole or first inventor Michael J. Christie

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 911 Tyne Boulevard, Nashville, TN 37220  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor David K. DeBoer

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 4080 Clovercroft Road, Franklin, TN 37067  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Michael C. Jones

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 205 North Short Street, North Webster, IN 46555  
Citizenship United States of America  
Post Office Address same as above

Full name of Sole or first inventor Steven Wayne Smith

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 2121 Caravelle Drive, Fort Wayne, IN 46814  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Brad Alan Parker

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 23 EMS Lane C-14, Warsaw IN 46582

Citizenship United States of America

Post Office Address same as above

Full name of Third inventor Charles W. Jaggors

Inventor's signature Charles W. Jaggors Date: 01/16/04

Residence 1538 S. Meadow Drive, Warsaw, IN 46580

Citizenship United States of America

Post Office Address same as above

Full name of Second inventor Derek A. Shrack

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 6262 Edgewood Ct., Leesburg IN 46538

Citizenship United States of America

Post Office Address same as above

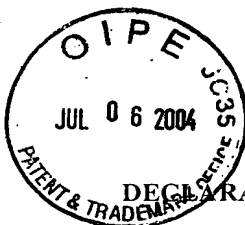
Full name of Third inventor James Ray Rogers

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 1911 Park Avenue, Winona Lake, IN 46590

Citizenship United States of America

Post Office Address same as above



# DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled

MINIMALLY INVASIVE BONE MILLER APPARATUS, the specification of which

(check one)

X

is attached hereto.

was filed on \_\_\_\_\_ as

United States Application Serial No. \_\_\_\_\_ or

PCT International Application No. \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
----------	-----------	------------------------	-----	----

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application Number

Filing Date

Application Number

Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)(Patented, Pending, Abandoned)
--------------------------	---------------	--

(Application Serial No.)	(Filing Date)	(Status)(Patented, Pending, Abandoned)
--------------------------	---------------	--



And I hereby appoint Paul J. Maginot, Registration No. 34,984, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214, Michael D. Beck, Registration No. 32,722, and David B. Quick, Registration No. 31,993 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq.  
Maginot, Moore & Beck  
111 Monument Circle, Suite 3000  
Bank One Center/Tower  
Indianapolis, Indiana 46204-5115  
Telephone (317) 638-2922  
Facsimile (317) 638-2139

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Sole or first inventor Michael J. Christie

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 911 Tyne Boulevard, Nashville, TN 37220  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor David K. DeBoer

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 4080 Clovercroft Road, Franklin, TN 37067  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Michael C. Jones

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 205 North Short Street, North Webster, IN 46555  
Citizenship United States of America  
Post Office Address same as above

Full name of Sole or first inventor Steven Wayne Smith

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 2121 Caravelle Drive, Fort Wayne, IN 46814  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Brad Alan Parker

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 23 EMS Lane C-14, Warsaw IN 46582  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor Charles W. Jagers

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 1538 S. Meadow Drive, Warsaw, IN 46580  
Citizenship United States of America  
Post Office Address same as above

Full name of Second inventor Derek A. Shrack

Inventor's signature Derek A. Shrack Date: 1-6-04  
Residence 6262 Edgewood Ct., Leesburg IN 46538  
Citizenship United States of America  
Post Office Address same as above

Full name of Third inventor James Ray Rogers

Inventor's signature James Ray Rogers Date: Jan 6-04  
Residence 1911 Park Avenue, Winona Lake, IN 46590  
Citizenship United States of America  
Post Office Address same as above